

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GLOBAL ENERGY : CIVIL ACTION
CONSULTANTS, LLC, : NO. 08-5827

Plaintiff,

v.

HOLTEC INTERNATIONAL,
INC., et al.,

Defendants.

O R D E R

AND NOW, this 17th day of August, 2011 for the reasons set forth in the Court's accompanying memorandum dated August 17, 2011, it is ORDERED that:

1. Plf.'s Motion for Leave to File a Surreply (doc. no. 94) is GRANTED.¹
2. Plf.'s Motion to Dismiss Count II of the Complaint (doc. no. 45) is GRANTED.²
3. Def.'s Motion for Partial Summary Judgment (doc. no. 56) is GRANTED.
4. All other pending summary judgment motions are

¹ Plaintiff's Surreply was reviewed in consideration of this Order and accompanying Memorandum.

² As a response to Def.'s Motion for Partial Summary Judgment (doc. no. 39), Plaintiff sought to withdraw claims based on an alleged oral contract. Thus, Plaintiff moves to withdraw/dismiss Count II (of the three counts) as it is based on the alleged oral contracts.

DENIED as moot: Def.'s Motion for Summary Judgment (doc. no. 33); Def.'s Motion for Partial Summary Judgment (doc. no. 39); Def.'s Motion for Partial Summary Judgment That No Oral Contracts Existed (doc. no. 54)

5. All pending trial motions are **DENIED as moot:** Plf.'s Motion in Limine (doc. no. 57); Def.'s Motion in Limine to Exclude Evidence of an Oral Contract (doc. no. 69); Def.'s Motion in Limine to Exclude Testimony and Expert Reports (doc. no. 70); Def.'s Motion in Limine to Exclude Opinion Testimony Offered by Plaintiff (doc. no. 71); and Plf.'s Motion for Partial Summary Judgment (doc. no. 58).³

6. The Clerk of the Court shall mark this case as **CLOSED.**

AND IT IS SO ORDERED.

S/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

³ This motion is denied for the same reasons that Defendant's Motion for Summary Judgment Def.'s Motion for Partial Summary Judgment (doc. no. 56) is granted.